

KATE McKENNA, AICP
Executive Officer

**MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

Adopted on March 24, 2008

***An audio recording of this meeting is available at the LAFCO office. Please contact us
at (831) 754-5838 to arrange a time to listen or to order a copy.***

Regular Meeting

Monday, February 25, 2008, 4:00 p.m.

**Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal, First Floor
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order, by Chair DiMaggio at 4:00 p.m. in the Monterey County Board of Supervisors Chambers. Chair DiMaggio led the Pledge of Allegiance.

ROLL CALL

Members Present

Commissioner DiMaggio, Chair *(Public Member)*
Commissioner Calcagno, *(County Member)*
Commissioner Darington, Alternate *(Public Member)*
Commissioner Donohue, Vice-Chair *(City Member)*
Commissioner Gourley, Alternate *(City Member)*
Commissioner McGowan *(Special District Member)*
Commissioner Perkins, *(Special District Member)*
Commissioner Rubio, *(City Member)*
Commissioner Salinas, *(County Member)*
Commissioner Shirrel, Alternate *(Special District Member)*

Members Not Present, Presence Not Required

Commissioner Armenta, Alternate *(County Member)*

Staff Present

Kate McKenna, AICP, Executive Officer
Thom McCue, Senior Analyst
Elliot Mulberg, Senior Analyst
Frank Tiesen, LAFCO Counsel
Rachelle Jones, LAFCO Clerk

Item 4: Minutes

4.a Approval of Minutes of the January 28, 2008 Regular LAFCO Meeting.

Upon Motion of Commissioner Rubio, seconded by Commissioner McGowan, minutes of the January 28, 2008 regular LAFCO meeting, were unanimously approved.

Item 5: Public Comment:

None

Item 6: Commissioner Comment:

None

Item 7 (a-c): Consent Agenda:

There was no public or Commission comment on the consent agenda items.

Upon Motion of Commissioner McGowan, seconded by Commissioner Salinas, Consent Agenda Items: Accept Check Register for January 2008, Accept Legislative Status Report, Receive List of Anticipated Future Agenda Items, were unanimously approved.

8: Public Hearing

8.a Consideration of Proposed “Annexation to the Aromas Water District of Approximately 738 Acres Including All Parcels Within the Sphere of Influence in Monterey County” (LAFCO File No. 06-11).

Sr. Analyst Mulberg provided staff report.

Public Comment

Brian Foust spoke in favor of the annexation. Robert Cardell, John Rodeno, Cathy Miller, and Linda Murdock all spoke against the annexation. Larry Cain, General Manager of the Aromas Water District, provided information on reasons for the annexation and fee details.

Commission comment and action.

Commissioner Calcagno provided reasons for supporting the annexation including environmentally safe water to people that would otherwise not have access to safe water, and long term water supply security for people who currently have their own wells.

He made the motion to accept the staff recommendation with the condition that Aromas could not send any new “Will Serve” letters except for projects already under consideration. Following discussion the addition was removed.

Upon Motion of Commissioner Calcagno, seconded by Commissioner Perkins, Annexation to the Aromas Water District of Approximately 738 Acres Including All Parcels Within the Sphere of Influence in Monterey County (*LAFCO File No. 06-11*) with a protest hearing to be held on April 28, 2008, was unanimously approved.

9: Executive Officers Report

Executive Officer McKenna provided a report on the broadcasting of LAFCO meetings on cable television, per Commissioner Calcagno's inquiry at the February 25, 2008 meeting. She explained that the item will be included in the proposed budget for fiscal year 2008-09, and that the meetings are expected to begin being broadcasted in July 2008.

Item 10: Correspondence

There were no additional items of correspondence.

Item 11: Closed Session

Under Government Code Section 54950 et.seq.

**11.a Pursuant to Government Code Section 54956.9 (b) – Potential Litigation
The Commission Conferred with Special Legal Counsel Regarding One
Case of Potential Litigation.**

**11.b Pursuant to Government Code Section 54956.9 (a) – Existing Litigation
The Commission Conferred with LAFCO Legal Counsel Regarding the Following
Item:**

**“Carmel Valley Forum, Inc. (Petitioner) vs. Local Agency Formation Commission of
Monterey County (Respondent),” Superior Court Case Number M83394**

The meeting was called into closed session by Chair DiMaggio.

Chair DiMaggio reopened the meeting from closed session with no reportable action.

Item 12: Adjournment

On motion of Chair DiMaggio, there being no objections, the meeting was unanimously adjourned at 5:35 p.m. to the next regular LAFCO Meeting to be held on Monday, March 24, 2008 at 4:00 p.m. at the LAFCO Office, 132 W. Gabilan St., Ste. 102, Salinas, California.

Respectfully Submitted,

Rachelle Jones
LAFCO Clerk